

The Senate Education and Youth Committee offered the following substitute to HB 905:

A BILL TO BE ENTITLED
AN ACT

To amend Article 6 of Chapter 2 of Title 20 of the Official Code of Georgia Annotated, relating to the "Quality Basic Education Act," so as to enact the "Building Resourceful Individuals to Develop Georgia's Economy Act" to develop programs to improve graduation rates and to improve the preparedness of students for postsecondary education and careers; to provide for definitions; to provide for the development of focused programs of study; to provide for model programs for students at risk of dropping out of high school; to train school counselors and graduation coaches to provide for educational counseling and career awareness programs for students; to establish a reform grant program; to require local school systems which receive a reform grant to comply with certain requirements; to provide for high school completion rate goals in the state accountability system; to provide for rules and regulations; to provide for exemptions from certain portions of the high school graduation test and end-of-course assessments; to amend Part 7 of Article 7 of Chapter 3 of Title 20 of the Official Code of Georgia Annotated, relating to HOPE scholarships and grants, so as to revise a definition and add a definition; to provide that enrollment in postsecondary courses at a branch of the Georgia Department of Technical and Adult Education will not count against the hourly caps for HOPE grants; to amend Article 2 of Chapter 4 of Title 20 of the Official Code of Georgia Annotated, relating to technical and adult education, so as to enact the "Career Academies Act of 2008"; to provide for legislative intent; to provide for definitions; to provide for the disbursement of funds by the State Board of Technical and Adult Education for career academies established as charter schools; to provide for eligibility criteria; to provide for an annual report; to provide for related matters; to repeal conflicting laws; and for other purposes.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

SECTION 1.

Article 6 of Chapter 2 of Title 20 of the Official Code of Georgia Annotated, relating to the "Quality Basic Education Act," is amended by adding a new part to read as follows:

"Part 16

20-2-325.

This part shall be known and may be cited as the 'Building Resourceful Individuals to Develop Georgia's Economy Act.'

20-2-326.

For purposes of this part, the term:

(1) 'Career academy' means a specialized charter school established by a local board of education or a group of local boards of education in cooperation with one or more postsecondary institutions and approved by the State Board of Education in accordance with Article 31 of this chapter.

(2) 'Choice technical high school' means a high school, other than the high school to which a student is assigned by virtue of his or her residence and attendance zone, which is designed to prepare a high school student for postsecondary education and for employment in a career field. A choice technical high school may be operated by a local school system or a technical college. A choice technical high school may also be operated as a charter school under a governance board composed of parents, employers, and representatives from the local board of education.

(3) 'Chronically low-performing high school' means a public high school in this state with a graduation rate less than 60 percent, as determined in accordance with methodology established by the National Governors Association's Compact on High School Graduation Data, for three consecutive years.

(4) 'Focused program of study' means a rigorous academic core combined with either a focus in mathematics and science; a focus in humanities, fine arts, and foreign language; or a coherent sequence of career pathway courses that is aligned with graduation requirements established by the State Board of Education and curriculum requirements established pursuant to Part 2 of this article, that prepares a student for postsecondary education or immediate employment after high school graduation, and that is in accordance with the requirements of paragraph (1) of Code Section 20-2-328.

(5) 'Graduation plan' means a student specific plan developed in accordance with Code Section 20-2-329.1 detailing the courses necessary for a high school student to graduate from high school and to successfully transition to postsecondary education and the work force.

(6) 'Industry certification' means a process of program evaluation that ensures that individual programs meet industry standards in the areas of curriculum, teacher qualification, lab specifications, equipment, and industry involvement.

(7) 'Small learning community' means an autonomous or semiautonomous small learning environment within a large high school which is made up of a subset of students and teachers for a two, three, or four-year period. The goal of a small learning community is to achieve greater personalization of learning with each community led by a principal or instructional leader. A small learning community blends academic studies around a broad career or academic theme where teachers have common planning time to connect teacher assignments and assessments to college and career readiness standards. Students voluntarily apply for enrollment in a small learning community but must be accepted and such enrollment must be approved by the student's parent or guardian. A small learning community also includes a career academy organized around a specific career theme which integrates academic and career instruction, provides work-based learning opportunities, and prepares students for postsecondary education and employment, with support through partnerships with local employers, community organizations, and postsecondary institutions.

(8) 'Technical college' means a branch of the Department of Technical and Adult Education.

20-2-327.

(a)(1) No later than July 1, 2009, the Department of Education shall develop and the State Board of Education shall approve curriculum frameworks for focused programs of study in accordance with a phase-in schedule as determined by the state board.

(2) Focused programs of study that are in high demand, high skill, and high wage academic and career fields shall be given priority and may include, but are not limited to:

- (A) Aerospace;
- (B) Health care and elderly care;
- (C) Agribusiness;
- (D) Life science;
- (E) Energy and environmental;
- (F) Logistics and transportation;
- (G) Information and technology;
- (H) Teacher education training;
- (I) Technology and engineering;
- (J) Science and mathematics; and
- (K) Humanities and fine arts.

(3) The department shall include in the curriculum frameworks the flexibility for a student to pursue a focused program of study, utilizing courses offered within a career or academic focus area at the school of attendance, at a career academy, at a technical

college, at a public two-year or four-year college, at a work site under an apprenticeship cooperative education program, and at other settings approved by the State Board of Education, as appropriate.

(4) For each career pathway focused program of study identified pursuant to this subsection, the department shall, in collaboration with the Department of Technical and Adult Education, recommend a curriculum framework when feasible, aligned to enhance dual enrollment, course transferability, and career readiness. No later than July 1, 2010, the State Board of Education, in collaboration with the Department of Technical and Adult Education, shall establish a process for certifying all career pathway focused programs of study receiving state funds by using national certifying agencies where they exist and developing state industry-certifying panels in career pathways where no national certifying agency exists. The certification process shall, at a minimum, validate that a program of study's curriculum meets industry standards where applicable, that its teachers hold current industry certification where applicable, and that its facilities, equipment, and software are adequate to teach the curriculum.

(b)(1) The State Board of Education shall develop an evidence based model program for chronically low-performing high schools receiving a reform grant pursuant to subsection (f) of this Code section for addressing at-risk students, which shall include various programs and curricula proven to be effective for at-risk students focusing on:

(A) Identification of students at risk for being poorly prepared for the next grade level or for dropping out of school;

(B) Strengthening retention of ninth grade students in school and reducing high failure rates;

(C) Improving more student performance to grade level standards in reading and mathematics by the end of ninth grade;

(D) Assisting students and their parents or guardians in setting an outcome career and educational goal and identifying a focused program of study to achieve such goal; and

(E) Assisting students in learning and applying study skills, coping skills, and other habits that produce successful students and adults.

(2) The at-risk model program shall include:

(A) Diagnostic assessments to identify strengths and weaknesses in the core academic areas;

(B) A process for identifying these students, closely monitored by the Department of Education in collaboration with local school systems to ensure that students are being properly identified and provided timely, appropriate guidance and assistance and to ensure that no group is disproportionately represented; and

(C) An evaluation component in each high school to ensure the programs are providing students an opportunity to graduate with a high school diploma.

(3) The at-risk model program may include various components designed to result in more students facilitating a successful start in high school and passing the ninth grade such as:

(A) Utilizing a flexible schedule that increases students' time in core language arts/reading and mathematics studies designed to eliminate academic deficiencies;

(B) Maintaining a student-teacher ratio in ninth grade that is no higher than any other grade level ratio in high school;

(C) Utilizing experienced and effective teachers as leaders for teacher teams in ninth grade to improve instructional planning, delivery, and re-teaching strategies;

(D) Assigning students to a teacher mentor who will meet with them frequently to provide planned lessons on study skills and other habits of success that help students become independent learners and who will help them receive the assistance they need to successfully pass the ninth grade; and

(E) Including ninth grade career courses which incorporate a series of miniprojects throughout the school year that require the application of ninth grade level reading, mathematics, and science skills to complete while students learn to use a range of technology and help students explore a range of educational and career options that will assist them in formulating post high school goals and give them a reason to stay in school and work toward achieving their stated goals.

(c) No later than July 1, 2009, the State Board of Education shall promulgate rules and regulations for chronically low-performing high schools receiving a reform grant pursuant to subsection (f) of this Code section to make the high schools more relevant to and effective for all students. Such rules shall encourage high schools to implement a comprehensive school reform research based model that focuses on:

(1) Setting high expectations for all students;

(2) Personalizing graduation plans for students;

(3) Developing small learning communities or career academies with a rigorous academic foundation and emphasis in broad career fields of study;

(4) Using project based instruction embedded with strong academics to improve relevancy in learning;

(5) Fostering collaboration among academic and career/technical teachers;

(6) Implementing nontraditional scheduling in ninth grade for students behind in their grade level;

(7) Promoting parental involvement; and

(8) Training teachers to work with low-performing students and their parents or guardians.

(d) The Department of Education shall for chronically low-performing high schools receiving a reform grant pursuant to subsection (f) of this Code section provide training school counselors and graduation coaches about high demand, high skill, and high wage opportunities for bachelor's degrees, associate's degrees, and certificates, how a combination of rigorous academic and technical courses can prepare students for these fields, and how to organize a teacher adviser system that engages teachers in working with a core group of students and their parents or guardians in setting goals, identifying individual programs of study, and establishing individual graduation plans to achieve those goals. The plan shall include strategies for school counselors, graduation coaches, and teacher advisers to effectively involve parents or guardians in the educational and career guidance process and in the development of individual graduation plans. Upon request by any local school system, training may be given to school counselors and graduation coaches in any high school.

(e) Subject to appropriations by the General Assembly, the State Board of Education shall establish a competitive grant program for local school systems to implement school reform measures in selected schools pursuant to this part. The state board shall establish program requirements in accordance with the provisions of this article and shall establish grant criteria, which shall include that priority for reform grants shall be given to chronically low-performing high schools.

20-2-328.

High schools that receive a reform grant pursuant to subsection (f) of Code Section 20-2-327 shall:

(1) Provide focused programs of study which are designed to provide a well-rounded education for students by fostering artistic creativity, critical thinking, and self-discipline through the teaching of academic content, knowledge, and skills that students will use in the workplace, further education, and life. The focused programs of study, whether provided at a choice technical high school, a career academy, a traditional high school, or on site at a technical college, shall be aligned with graduation requirements established by the State Board of Education and curriculum requirements established pursuant to Part 2 of this article, which shall include, at a minimum, four years of mathematics, Algebra I and higher, and four years of English, with an emphasis on developing reading and writing skills to meet college and career readiness standards;

(2) Implement a teacher adviser system where an individual professional educator in the school assists a small group of students and their parents or guardians throughout the

1 students' high school careers to set postsecondary goals and help them prepare programs
2 of study, utilizing assessments and other data to track academic progress on a regular
3 basis; communicates frequently with parents or guardians; and provides advisement,
4 support, and encouragement as needed;

5 (3) Beginning in the 2009-2010 school year, provide students in the eighth through
6 twelfth grades information on educational programs offered in high school, in technical
7 and community colleges, in colleges and universities, and through apprenticeship
8 programs and how these programs can lead to a variety of career fields. Local school
9 systems shall provide opportunities for field trips, speakers, educational and career
10 information centers, job shadowing, and classroom centers to assist students and their
11 parents or guardians, with guidance from school counselors and teacher advisers, in
12 developing a tentative individual high school graduation plan as provided for in Code
13 Section 20-2-329.1 by the end of the student's ninth grade school year. Such individual
14 graduation plan shall be reviewed annually, and revised, if appropriate, upon approval by
15 the student, the student's school counselor or teacher adviser, and the student's parent or
16 guardian;

17 (4) Enroll students no later than tenth grade into one of the following options for earning
18 a high school diploma and preparing students for postsecondary education and a career:

19 (A) A structured program of academic study with in-depth studies in mathematics and
20 science or in humanities, fine arts, and foreign language; or

21 (B) A structured program of academic study with in-depth studies in a career pathway
22 that leads to passing an employer certification exam in a high demand, high skill, or
23 high wage career field or to an associate's degree or bachelor's degree.

24 The awarding of a special education diploma to any disabled student who has not
25 completed all of the requirements for a high school diploma, but who has completed his
26 or her Individualized Education Program (IEP) shall be deemed to meet the requirements
27 of this paragraph;

28 (5) Implement the at-risk model program developed by the State Board of Education
29 pursuant to paragraph (1) of subsection (b) of Code Section 20-2-327;

30 (6) Comply with the rules and regulations promulgated by the State Board of Education
31 for chronically low-performing high schools pursuant to subsection (c) of Code Section
32 20-2-327; and

33 (7) Schedule annual conferences to assist parents or guardians and their children in
34 setting educational and career goals and creating individual graduation plans beginning
35 with students in the eighth grade and continuing through high school. These conferences
36 shall include, but are not limited to, assisting the student in identifying educational and

1 career interests and goals, selecting a career and academic focus area, and developing an
2 individual graduation plan.

3 20-2-329.

4 No later than July 1, 2009, the Office of Student Achievement shall include in the
5 accountability system provided for in Part 3 of Article 2 of Chapter 14 of this title emphasis
6 on improving student achievement and increasing high school graduation rates, with the
7 goal of having all public high schools in Georgia reach at least a 90 percent high school
8 completion rate, which shall include completion by the end of the summer following a
9 student's senior year, by July 1, 2019, with annual incremental targets.

10 20-2-329.1.

11 (a) An individual graduation plan shall:

12 (1) Include rigorous academic core subjects and focused course work in mathematics and
13 science or in humanities, fine arts, and foreign language or sequenced career pathway
14 course work;

15 (2) Incorporate provisions of a student's Individualized Education Program (IEP), where
16 applicable;

17 (3) Align educational and broad career goals and a student's course of study;

18 (4) Be based on the student's selected academic and career focus area as approved by the
19 student's parent or guardian;

20 (5) Include experience based, career oriented learning experiences which may include,
21 but not be limited to, internships, apprenticeships, mentoring, co-op education, and
22 service learning;

23 (6) Include opportunities for postsecondary studies through articulation, dual enrollment,
24 and joint enrollment;

25 (7) Be flexible to allow change in the course of study but be sufficiently structured to
26 meet graduation requirements and qualify the student for admission to postsecondary
27 education; and

28 (8) Be approved by the student and the student's parent or guardian with guidance from
29 the student's school counselor or teacher adviser.

30 (b) An individual graduation plan shall be reviewed annually, and revised, if appropriate,
31 upon approval by the student and the student's parent or guardian with guidance from the
32 student's school counselor or teacher adviser.

33 (c) An individual graduation plan may be changed at any time throughout a student's high
34 school career upon approval by the student and the student's parent or guardian with
35 guidance from the student's school counselor or teacher adviser.

20-2-329.2.

The State Board of Education shall promulgate rules and regulations necessary to carry out the provisions of this part."

SECTION 2.

Said article is further amended in Code Section 20-2-281, relating to assessment of effectiveness of educational programs, by adding a new subsection to read as follows:

"(q) The State Board of Education shall provide that a student who passes an employer or industry certification examination or a state licensure examination, which are approved by the State Board of Education, shall be exempt from the high school graduation test provided for in subsection (a) of this Code section except for the reading, writing, science, and mathematics portions and from end-of-course assessments as provided for in subsection (f) of this Code section except for tests in the areas of mathematics, science, English, reading, and writing."

SECTION 3.

Part 7 of Article 7 of Chapter 3 of Title 20 of the Official Code of Georgia Annotated, relating to HOPE scholarships and grants, is amended by adding a new paragraph (5.1) and revising paragraph (7) of Code Section 20-3-519, relating to definitions regarding HOPE scholarships and grants, as follows:

"(5.1) 'Dual credit enrollment' means enrollment by a student in a postsecondary course in which an agreement has been established between an eligible high school and an eligible postsecondary institution wherein the student earns Carnegie units of credit that count toward both high school graduation requirements and postsecondary coursework requirements."

"(7) 'Eligible postsecondary institution' means a school which is:

- (A) A unit of the University System of Georgia;
- (B) A branch of the Georgia Department of Technical and Adult Education ~~or an affiliated institution which is controlled by a local board of education;~~
- (C) A private independent nonprofit postsecondary institution eligible for tuition equalization grants in accordance with the provisions of subparagraph (A) of paragraph (2) of Code Section 20-3-411; or
- (D) A private proprietary postsecondary institution eligible for tuition equalization grants in accordance with the provisions of subparagraph (C) of paragraph (2) of Code Section 20-3-411."

SECTION 4.

Said part is further amended by revising subsection (e) of Code Section 20-3-519.5, relating to eligibility for HOPE grants at a branch of the Georgia Department of Technical and Adult Education, as follows:

"(e) No student may receive HOPE grants for more than 95 quarter hours or 63 semester hours of attempted coursework, except as provided for in subsection (f) of this Code section. No student may receive more than a cumulative total of 190 quarter hours or 127 semester hours of combined HOPE scholarships and grants, unless in accordance with Code Sections 20-3-519.2 and 20-3-519.3. For purposes of this subsection, attempted hours shall not include hours for courses taken ~~pursuant to Code Section 20-2-161.1~~ and paid for by a HOPE grant while a student is participating in dual credit enrollment with both an eligible high school and a branch of the Department of Technical and Adult Education or a unit of the University System of Georgia. The Department of Technical and Adult Education or the University System of Georgia, as applicable, shall verify that the student is enrolled in an eligible high school and shall notify the Georgia Student Finance Commission of the student's participation in dual credit enrollment."

SECTION 5.

Article 2 of Chapter 4 of Title 20 of the Official Code of Georgia Annotated, relating to technical and adult education, is amended by adding a new Code section to read as follows:

"20-4-37.

(a) This Code section shall be known and may be cited as the 'Career Academies Act of 2008.'

(b) It is the intent of the General Assembly to increase graduation rates, potential job opportunities, and educational opportunities for students by establishing and providing start-up funds for career academies through intergovernmental cooperation between postsecondary institutions and local boards of education.

(c) As used in this Code section, the term:

(1) 'Board' means the State Board of Technical and Adult Education.

(2) 'Career academy' means a specialized charter school established by a local board of education or a group of local boards of education, in cooperation with one or more postsecondary institutions, and approved by the State Board of Education in accordance with Article 31 of Chapter 2 of this title.

(3) 'Charter petitioner' means a local board of education or a group of local boards of education, in cooperation with one or more postsecondary institutions, which have petitioned to establish a career academy as a charter school pursuant to Article 31 of Chapter 2 of this title.

(4) 'Charter school' shall have the same meaning as in paragraph (3) of Code Section 20-2-2062.

(5) 'Postsecondary institution' means a local technical college or other institution under the auspices of the Department of Technical and Adult Education or a university, college, or other institution under the auspices of the Board of Regents of the University System of Georgia.

(6) 'Start-up costs' means initial operating or capital costs, including, but not limited to, costs of improving real property.

(7) 'Supplemental funding' means funding authorized pursuant to subsection (f) of this Code section.

(d) Supplementary to and without limitation of other authority, the board shall be authorized to disburse funds, including state funds, federal funds, proceeds of general obligation debt, or any other available funds, for a particular purpose to career academies for start-up costs or for supplemental funding by way of grant consideration for cooperative services.

(e) A charter petitioner for a career academy that has submitted or that has drafted for submission a charter petition for a career academy to the State Board of Education for approval shall be authorized to submit to the board an application for start-up funds. The board shall approve applications for start-up funds for career academies that meet the criteria and requirements established pursuant to subsection (h) of this Code section. Funds shall not be released to an approved applicant unless the charter petition is approved by the State Board of Education pursuant to Article 31 of Chapter 2 of this title.

(f) The board shall also be authorized to disburse funds to existing charter career academies which demonstrate a need for supplemental funding.

(g) The board may establish a matching requirement for recipients of funds under this Code section.

(h) The board shall establish eligibility criteria, requirements, and procedures for the disbursement of funding to charter academies pursuant to this Code section. Such criteria, requirements, and procedures shall provide that the board shall consider the strength of the proposed cooperative arrangements between the local board of education, or the group of local boards of education, and one or more postsecondary institutions as well as the active support of the local business community for the career academy.

(i) A career academy receiving funds pursuant to this Code section shall submit an annual report to the board regarding the expenditure of the funds received pursuant to this Code section."

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SECTION 6.

All laws and parts of laws in conflict with this Act are repealed.